

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA . CRIMINAL NO. 04-10303-RCL
.
V. . BOSTON, MASSACHUSETTS
. FEBRUARY 1, 2005
RASHAUN SCOTT .
Defendant .
.

TRANSCRIPT OF CONFERENCE
BEFORE THE HONORABLE JOYCE LONDON ALEXANDER
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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Proceedings recorded by digital sound recording,
transcript produced by transcription service.

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P R O C E E D I N G S

COURT CALLED INTO SESSION

THE CLERK: The Honorable Joyce London Alexander presiding. You may be seated. Today's date is February 1, 2005. The Court will now hear the case of United States v. Rashaun Scott, Criminal Case No. 04-10303. Will the attorneys please identify themselves for the record.

MR. RICHARDSON: Robert Richardson for the United States. Good afternoon, Your Honor.

THE COURT: Good afternoon.

MR. SUTTER: Good afternoon, Your Honor.

THE COURT: Good afternoon.

MR. SUTTER: Sam Sutter for the defendant, Mr. Rashaun Scott.

THE COURT: We need to set a motion date and the final conference, status conference date; is that correct.

MR. SUTTER: Yes, Your Honor.

THE COURT: Okay. Why don't we - Mr. Brown, can you see my schedule for--

THE CLERK: March 15th at 2:30.

THE COURT: --March 15th - 15th at 2:30 for a final status conference.

MR. SUTTER: Your Honor, I have a trial in Taunton that day. I'm wondering if we could go to March 16th or 17th in the afternoon?

1 PAUSE

2 THE COURT: March 17th?

3 MR. SUTTER: That would be fine.

4 THE COURT: Is that a holiday?

5 MR. SUTTER: It's, well it's in a way--

6 THE COURT: It's darkened on the calendar.

7 MR. SUTTER: It's St. Patrick's Day and Evacuation
8 Day I think.

9 THE COURT: Oh.

10 MR. RICHARDSON: In Suffolk County I think it's a
11 holiday.

12 THE COURT: It's closed. Do you celebrate it?
13 Maybe I shouldn't schedule you.

14 MR. RICHARDSON: I'm 1/16th Irish so I come to work.

15 THE COURT: Pardon?

16 UNIDENTIFIED: The city of Boston and the city of
17 Cambridge are closed.

18 THE COURT: Oh. Oh I remember that as a youngster.
19 How about the 16th?

20 MR. SUTTER: That should be fine, Your Honor.

21 THE COURT: All right. And why don't we set motions
22 to be filed - do you anticipate dispositive motions?

23 MR. SUTTER: Well, Your Honor, I have certainly a
24 viable motion to suppress.

25 THE COURT: Uh-huh.

1 MR. SUTTER: I think my brother would concede that.
2 And I would ask the Court to - I have a very busy trial
3 calendar over the next couple months. If I could have until
4 the first of April would that be all right to file it?

5 THE COURT: That's in excess of the 45 day--

6 MR. SUTTER: Oh, all right. Well then--

7 THE COURT: --period.

8 MR. SUTTER: --how about the day that we're due for
9 the status conference?

10 THE COURT: That's fine.

11 THE CLERK: March 16th at--

12 PAUSE

13 THE COURT: That's the 16th?

14 MR. SUTTER: Yes.

15 THE COURT: Okay. Government's response March, to be
16 filed on or before March 31st. The hearing time is 10 a.m.--

17 MR. SUTTER: On?

18 THE COURT: The 16th.

19 MR. SUTTER: Oh. Well I wonder if we could go to the
20 afternoon because there's always a possibility that my trial
21 would spill over until--

22 THE COURT: All right.

23 MR. SUTTER: --the morning of the next day.

24 THE CLERK: Two p.m.?

25 THE COURT: If it's in Taunton let's make it three.

1 MR. SUTTER: Thank you.

2 THE COURT: Three p.m. Anything further?

3 MR. SUTTER: Your Honor, I would like a detention
4 hearing on behalf of Mr. Scott depending upon the Court's
5 calendar.

6 PAUSE

7 THE COURT: Wednesday the 16th at 10 a.m., February
8 16th--

9 MR. SUTTER: February?

10 THE COURT: Right.

11 MR. SUTTER: I would ask for something a little bit
12 beyond that?

13 THE COURT: Two? Oh, you mean a time, a date beyond
14 the 16th?

15 MR. SUTTER: I just, I can't--

16 THE COURT: That's fine, you're asking for the
17 detention hearing. When did you--

18 MR. SUTTER: Your Honor--

19 THE COURT: Which week? If you can give me the week
20 so--

21 MR. SUTTER: I--

22 THE COURT: --the clerk can look at the schedule.

23 MR. SUTTER: --was wondering if there's anything
24 available the afternoon of March the 3rd or any time on March
25 the 4th? I know I can set anything--

1 THE CLERK: Friday's good.

2 THE COURT: Okay.

3 MR. SUTTER: If that's all that's available I'll take
4 it.

5 PAUSE

6 THE COURT: You wanted the third on the, at what
7 time?

8 MR. SUTTER: In the afternoon. I have to be in
9 Attleboro in the morning.

10 PAUSE

11 THE COURT: Three?

12 MR. SUTTER: That's great. Thank you very much.

13 THE COURT: Anything further?

14 MR. SUTTER: Not for me, Your Honor. Thank you, Your
15 Honor.

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CERTIFICATION

I, Maryann V. Young, court approved transcriber, certify that the foregoing is a correct transcript from the official digital sound recording of the proceedings in the above-entitled matter.

/s/ Maryann V. Young

April 9, 2008

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